



Docket No. 10738-44

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Non-Fee Amendment; Commissioner of Patents, Washington, DC 20231 on January 16, 2003.

Lynne W. Moore
Lynne W. Moore

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kersten M. Small et al : Paper No.
Serial No.: 09/636,259 : Group Art Unit: 1634
Filed: August 10, 2000 : Examiner: Diana Johannsen
For: ALPHA-2A-ADRENERGIC RECEPTOR POLYMORPHISMS

RESPONSE TO RESTRICTION REQUIREMENT

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

Dear Sir:

In the Official Action dated December 17, 2002, the Examiner required restriction under 35 U.S.C. §§ 121 between claims 1-3 and 62-65 drawn to polynucleotides, vectors, and host cells; claims 4-5 drawn to polypeptides; claims 6-38 and 44-45 drawn to primers, probes, and methods of genotyping; claims 39-43 drawn to methods of diagnosing a disease; claims 46-53 drawn to methods of predicting response to an agonist or antagonist; claims 54-61 drawn to methods of selecting a pharmaceutical composition; claims 66-67 drawn to transgenic animals; and claims 68-69 drawn to antibodies.

Applicants elect the invention of claims 1-3 and 62-65 of Group I, with traverse. This election is made with traverse on the basis that it would not be unduly burdensome for the Examiner to examine claims 4-61 and 66-69 with claims 1-3 and 62-65. Accordingly, Applicants request reconsideration and withdrawal of the restriction requirement and examination of claims 1-69. Examination on the merits is respectfully requested.

Respectfully submitted,

Clare M. Iery
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Applicants: SMALL, Kersten M., et al.

: Paper No:

Serial No.: 09/636,259

: Group Art Unit: 1634

Filed: August 10, 2000

: Examiner: D.B. Johannsen

For: **ALPHA-2A-ADRENERGIC RECEPTOR POLYMORPHISMS**

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

Dear Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

- [X] No fee required.
- [X] Also attached: Return Receipt Postcard.
- [X] The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read "Clare M. Iery".

Clare M. Iery
Registration No. 51,833
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255 East Fifth Street
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Attorneys for Applicant

Date: January 16, 2003

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